HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

Single Bench: - Hon'ble Shri S.R. NAYAK, CJ

WRIT PETITION NO. 5569 OF 2005

PETITIONER

Ankit Shukla
S/o Ajay Shukla
Aged about 14 years
Through Ajay Shukla
S/o Shri Shiv Shankar Shukla
Aged about 43 years, Father of the petitioner, R/o Old Civil Line,
Dist. – Rajnandgaon (C.G.)
Being minor represented through his father.

Versus

RESPONDENTS

1. State of Chhattisgarh
Through School Education Department, Raipur (C.G.)

2. The Chhattisgarh Madhymik Shiksha Mandal, Raipur (C.G.)

Present:

Mr. Anand Kumar Tiwari, learned counsel for the petitioner.

ORDER
(Passed on 28th November 2005)

What is sought by the petitioner in this writ petition is mandamus/ direction to the respondents to revalue the answer-scripts in Hindi and Sanskrit subjects contending that he has performed very well in those subjects, but he has been awarded very poor marks. It is well settled by a catena of decisions including in the case of **Maharashtra State Board of Secondary and** in the case of **Higher Secondary Education and another Vs. Paritosh Bhupesh Kumarsheth etc. (AIR 1984 SC 1543)** and in the case of **Pramod Kumar Srivastava Vs.**

(18)

Chairman, Bihar Public Service Commission, Patna and others (2004 AIR SCW 4541) that no candidate would have right to seek re-valuation of the answer books as a matter of right or course, in the absence of any statute or statutory regulations providing for re-valuation. It is not the case of the petitioner that any statute or statutory regulations enable the petitioner to seek re-valuation of his answer scripts in the subjects of Hindi and Sanskrit. The writ petition is, therefore, misconceived and the writ sought by the petitioner could not be granted. On that short ground, the writ petition is dismissed, however, with no costs.

Sd/-
Chief Justice

Brajesh